

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

DARRELL FERGUSON

§

VS.

§

CIVIL ACTION NO. 1:16cv16

WARDEN CARTER

§

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Darrell Ferguson, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

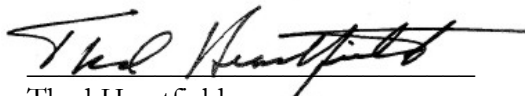
Plaintiff filed a motion for voluntary dismissal (doc. no. 24). The Magistrate Judge submitted a Report and Recommendation of United States Magistrate Judge recommending that the motion be granted and the case dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections to the Report and Recommendation were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. Plaintiff's motion to dismiss is **GRANTED**. A final judgment shall be entered dismissing this lawsuit.¹

SIGNED this the 28 day of **February, 2018**.


Thad Heartfield
United States District Judge

¹ Plaintiff subsequently filed documents indicating a possible desire to proceed with this lawsuit. Nevertheless, no objections were filed to the Report and Recommendation. If plaintiff no longer wishes to have his case dismissed, he should so inform the court. This case will then be reinstated on the court's active docket.